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COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 26, 2001

APPLICATION OF

BOLLINGER ENERGY CORPORATION

CASE NO. PUE010537

For a permanent license to
Conduct business as a natural
gas competitive service provider

ORDER FOR NOTICE AND COMMENT

On October 10, 2001, Bollinger Energy Corporation ("Bollinger" or "the Company"), filed an application with the Commission to convert and expand its pilot license, License No. PG-11,¹ to a permanent license to provide competitive natural gas services to commercial and industrial customers throughout the Commonwealth of Virginia as the Commonwealth opens up to retail access and customer choice. Bollinger also requested that its application be accepted out of time as it missed the filing deadline of August 31, 2001, as set forth in the State Corporation Commission's ("Commission") Final Order in Case No. PUE010013, dated June 19, 2001. The Company attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40.

¹ This pilot license permits the Company to operate in the natural gas retail access pilot programs of Columbia Gas of Virginia, Inc., ("CGV"), and Washington Gas Light Company ("WGL").

On October 17, 2000, Bollinger filed an application for a license to conduct business as a natural gas competitive service provider to commercial and industrial customers in the retail access pilot programs of WGL and CGV. By Order dated November 30, 2000, in Case No. PUE000475, Bollinger was issued License No. PG-11, to provide competitive natural gas services.

On June 19, 2001, the Commission entered its Final Order in Case No. PUE010013, adopting its Rules Governing Retail Access to Competitive Energy Services ("Retail Access Rules"), 20 VAC 5-312-10, et seq.² Page 6 of this Order provided that each competitive service provider who wished to convert its pilot license to a permanent license to participate in retail access must submit a request to do so in writing to the Commission on or before August 31, 2001. We directed that: (i) each such request must include an attestation that the information provided and updated in its application for a pilot license is true and correct, (ii) the Company must attest that it will abide by all applicable regulations of the Commission, as required by 20 VAC 5-312-40 B, and (iii) the Company must

² Commonwealth of Virginia, At the relation of the State Corporation Commission, Ex Parte: In the matter of establishing rules for retail access, Case No. PUE010013, Document Control Center No. 010630011, Final Order (June 19, 2001).

include any changes to information previously provided to the Commission, as required by 20 VAC 5-312-20 R.

NOW UPON CONSIDERATION of Bollinger's application to convert and expand its present license to a permanent license, the Commission is of the opinion and finds that Bollinger's request to file out of time should be granted; its application should be docketed; that this Order should be served upon appropriate persons; and that these persons should have an opportunity to comment on Bollinger's application.

Accordingly, IT IS ORDERED THAT:

(1) This application shall be docketed and assigned Case No. PUE010537.

(2) A copy of the application and supporting documents shall be made available for public inspection in the Commission's Document Control Center, located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, during the Commission's regular hours of operation, between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday.

(3) On or before November 9, 2001, Bollinger shall serve a copy of this Order upon each utility listed on Attachment A to this Order.

(4) On or before November 16, 2001, the Company shall file proof of the notice required in Ordering Paragraph (3) with Joel

H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P. O. Box 2118, Richmond, Virginia 23218-2118.

(5) Any interested person may request a copy of the application, accompanying materials, and this Order by directing a request in writing to the Company, c/o Meg Brunson, Bollinger Energy Corporation, 2833 O'Donnell Street, Baltimore, Maryland 21224. The Company shall, within three (3) days of receipt of the request, serve the requested documents upon the person making such request.

(6) An original and fifteen (15) copies of any comments on the application shall be filed on or before November 26, 2001, with the Clerk of the Commission at the address identified in Ordering Paragraph (4). Comments must refer to Case No. PUE010537. A copy of such comments must also be served on or before November 26, 2001, by first-class mail, or hand-delivered, to the Company, c/o Meg Brunson at the address identified in Ordering Paragraph (5).

(7) On or before December 7, 2001, the Company and the Staff of the Commission may each file with the Clerk of the Commission an original and fifteen (15) copies of any response they may have to any comments that have been filed and the captioned application, and shall serve a copy of such response on the Company and Staff, as appropriate, as well as upon any person submitting comments.

(8) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via facsimile as well as by first-class mail. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice and Procedure, 5 VAC 5-20-240, et seq.

(9) This matter shall be continued generally.